



JFW
5623

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/312,740
		Filing Date	5/14/1999
		First Named Inventor	Douglas F. Beaven
		Art Unit	2986
		Examiner Name	Krisciunas, L
Total Number of Pages in This Submission	14	Attorney Docket Number	beaven01.001

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Postcard	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Gordon E. Nelson #30,093
Signature	
Date	March 13, 2006

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

March 13, 2006

Typed or printed	Gordon E. Nelson
Signature	
Date	March 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



beaven01.001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(beaven01.001)**

5 **Applicant:** Douglas F. Beaven **Paper No.:**
Application No: 09/312,740 **Group Art Unit:** 2986
Filed: 5/14/99 **Examiner:** Krisciunas, L.
10 Title: *Processing management information*
.....

15 Commissioner for Patents
 Alexandria, VA 22313-1450

Response to a non-final Office action under 37 C.F.R. 1.111

Summary of the prosecution

20 Applicant filed an RCE in the present examination on 10/19/2005, and in response thereto, Examiner withdrew the finality of the rejection mailed 7/19/05. A non-final Office action followed on 12/13/05. In that Office action, Examiner rejected claims 187, 191, and 192 under 35 U.S.C. 112 because of their use of the terms "observe" and "perceive", which were deemed to be subjective and non-measurable. Claims 187-194, 25 197-206, and 210 were rejected under 35 U.S.C. 103 as obvious over Board (High End Project Managers, Infoworld, Feb. 1, 1993, p., 61-69) in view of Aoyama (Web Based Agile Software Development by Mikio Aoyama, IEEE Software Nov/Dec 1998, pp. 56-65).

30 Examiner graciously granted a telephonic interview in the application on 3/10/06; what follows is based on a written *Argument* which Applicant's Attorney faxed to Examiner prior to the interview and on the interview itself. Applicant has amended independent claims 187 and 192 to render the relationship between the hierarchies and the representations of the model entities unambiguous and has also amended claim 187 to 35 overcome the rejection under 35 U.S.C. 112. Further amendments have been made to dependent claims 188-191 to bring them into conformity with amended claim 187.